

priated, in addition to the amount authorized under subsection (a) of this section, \$400,000.

**(f) Indian priority system**

Funds appropriated pursuant to the authorizations provided by this section and available for a tribal justice system shall not be subject to the Indian priority system. Nothing in this chapter shall preclude a tribal government from supplementing any funds received under this chapter with funds received from any other source including the Bureau or any other Federal agency.

**(g) Allocation of funds**

In allocating funds appropriated pursuant to the authorization contained in subsection (a) among the Bureau, Office, tribal governments and Courts of Indian Offenses, the Secretary shall take such actions as may be necessary to ensure that such allocation is carried out in a manner that is fair and equitable to all tribal governments and is proportionate to base support funding under section 3613 of this title received by the Bureau, Office, tribal governments, and Courts of Indian Offenses.

**(h) No offset**

No Federal agency shall offset funds made available pursuant to this chapter for tribal justice systems against other funds otherwise available for use in connection with tribal justice systems.

(Pub. L. 103-176, title II, §201, Dec. 3, 1993, 107 Stat. 2009; Pub. L. 106-559, title II, §202, Dec. 21, 2000, 114 Stat. 2782; Pub. L. 111-211, title II, §242(a)(2), July 29, 2010, 124 Stat. 2292.)

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-211, §242(a)(2)(A), substituted “sections 3611 and 3612 of this title” for “the provisions of sections 3611 and 3612 of this title” and “fiscal years 2011 through 2015” for “the fiscal years 2000 through 2007”.

Subsec. (b). Pub. L. 111-211, §242(a)(2)(B), substituted “section 3613 of this title” for “the provisions of section 3613 of this title” and “fiscal years 2011 through 2015” for “the fiscal years 2000 through 2007”.

Subsecs. (c), (d). Pub. L. 111-211, §242(a)(2)(C), (D), substituted “fiscal years 2011 through 2015” for “the fiscal years 2000 through 2007”.

2000—Subsecs. (a) to (d). Pub. L. 106-559 substituted “2000 through 2007” for “1994, 1995, 1996, 1997, 1998, 1999, and 2000”.

SUBCHAPTER III—DISCLAIMERS

**§ 3631. Tribal authority**

Nothing in this chapter shall be construed to—

- (1) encroach upon or diminish in any way the inherent sovereign authority of each tribal government to determine the role of the tribal justice system within the tribal government or to enact and enforce tribal laws;
- (2) diminish in any way the authority of tribal governments to appoint personnel;
- (3) impair the rights of each tribal government to determine the nature of its own legal system or the appointment of authority within the tribal government;
- (4) alter in any way any tribal traditional dispute resolution forum;
- (5) imply that any tribal justice system is an instrumentality of the United States; or

- (6) diminish the trust responsibility of the United States to Indian tribal governments and tribal justice systems of such governments.

(Pub. L. 103-176, title III, §301, Dec. 3, 1993, 107 Stat. 2009.)

**CHAPTER 38A—INDIAN TRIBAL JUSTICE TECHNICAL AND LEGAL ASSISTANCE**

Sec.	
3651.	Findings.
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3653.	Definitions.

SUBCHAPTER I—TRAINING AND TECHNICAL ASSISTANCE, CIVIL AND CRIMINAL LEGAL ASSISTANCE GRANTS

3661.	Tribal justice training and technical assistance grants.
3662.	Tribal civil legal assistance grants.
3663.	Tribal criminal assistance grants.
3664.	No offset.
3665.	Tribal authority.
3665a.	Office of Tribal Justice.
3666.	Authorization of appropriations.

SUBCHAPTER II—INDIAN TRIBAL COURTS

3681.	Grants.
3682.	Assistant probation officers.

**§ 3651. Findings**

The Congress finds and declares that—

- (1) there is a government-to-government relationship between the United States and Indian tribes;
- (2) Indian tribes are sovereign entities and are responsible for exercising governmental authority over Indian lands;
- (3) the rate of violent crime committed in Indian country is approximately twice the rate of violent crime committed in the United States as a whole;
- (4) in any community, a high rate of violent crime is a major obstacle to investment, job creation and economic growth;
- (5) tribal justice systems are an essential part of tribal governments and serve as important forums for ensuring the health and safety and the political integrity of tribal governments;
- (6) Congress and the Federal courts have repeatedly recognized tribal justice systems as the most appropriate forums for the adjudication of disputes affecting personal and property rights on Native lands;
- (7) enhancing tribal court systems and improving access to those systems serves the dual Federal goals of tribal political self-determination and economic self-sufficiency;
- (8) there is both inadequate funding and an inadequate coordinating mechanism to meet the technical and legal assistance needs of tribal justice systems and this lack of adequate technical and legal assistance funding impairs their operation;
- (9) tribal court membership organizations have served a critical role in providing training and technical assistance for development and enhancement of tribal justice systems;
- (10) Indian legal services programs, as funded partially through the Legal Services Corporation, have an established record of provid-